

Remarks

Please cancel claims 2-12.

Please add claims 24-31.

Restriction between the following inventions has been required.

Group I; Claims 1-12 are said to be drawn to drop test apparatus with clear tube, base, upper flange, missile centering device, sensing member properly classified in class 73, subclass 82.

Group II; Claims 13-23 are said to be drawn to drop test apparatus with guide, missile, accelerometers properly classified in class 73, subclass 12.01+.

The inventions are said to be distinct because Groups I and II are related as combination, sub-combination. This relationship is said to be distinct if: (1) the combination does not require the particulars of the sub-combination for patentability; and (2) the sub-combination has utility by itself.

The examiner has held that the combination does not require an accelerometer and the sub-combination may be used for testing other parameters such as moisture.

This requirement is respectfully traversed.

The claims of Group I and II both call for a sensing member for testing the resiliency of playing surfaces. This claim language hardly allows for testing for moisture or construction but restricts the testing to playing surfaces. Both claim groups call for a guide tube, a missile and a sensing device, i.e. Group II is specific to an accelerometer. It is asserted that the combination does require the particulars of the sub-combination as claimed and that the sub-combination as claimed is restricted to sensing the resiliency of playing surfaces. It is, therefore, argued that neither requirement, (1) or

(2), is satisfied.

Further, it is asserted that no hardship is placed on the office, as the search for all claimed subject matter, in order to be complete, must include class 73, subclasses 12.01+ , to include 82.

It is respectfully urged that the restriction requirement be withdrawn and an action on all presented claims be issued.

It is noted that claims 2-12 of Group I have been cancelled. Also, new claims 24-31 which depend from claim 18 have been added. Therefore, Group I now consists of claim 1 and Group II consist of claims 13-31.

In accordance with MPEP 809.02(a), claims 13-31 (Group II) are elected with traverse.

An action on the merits of all claims is requested.

Respectfully submitted,



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